

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 5, 2009**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

ZON-33765 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: BASHIR AFZALI - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.58 acres on the east side of Martin L. King Boulevard, approximately 500 feet north of Washington Avenue (APN 139-28-604-004), Ward 5 (Barlow). The Planning Commission (5-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****4****City Council Meeting****2****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****3****City Council Meeting****1****RECOMMENDATION:**

The Planning Commission (4-0-2 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Support Postcard
7. Submitted after Final Agenda – Protest Postcards for Items 124-126
8. Backup referenced from the July 9, 2009 Planning Commission Meeting Item 16

Motion made by RICKI Y. BARLOW to Approve

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-STAVROS S. ANTHONY)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 124-126.

DON RODRIGUEZ, 1115 Mariposa Way, representing the application, went over the site plan and explained that the square footage of the building was reduced and the parking area increased. The landscaping was increased to 20 feet and the landscape variance was withdrawn.

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COUNCILMAN BARLOW stated that MR. JACKSON expressed concerns about the proximity of this development to his home and the height of the building, which could allow visibility to his property. MR. RODRIGUEZ explained that the distance from MR. JACKSON'S property is 84 feet to the second floor and 73 feet to the first floor. The height of the building was reduced from the original 35 feet proposed to 26 feet. Also, the second floor will include faux windows that will be visible from the exterior but without exterior visibility from the interior, to address MR. JACKSON'S concern of people on the second floor being able to look onto his property.

COUNCILMAN BARLOW noted that this project will help in making Martin Luther King Boulevard one of the most attractive streets. MR. RODRIGUEZ assured COUNCILMAN BARLOW that the landscaping will surpass the standards, with more intensity along Martin Luther King Boulevard to make it beautiful.

Regarding Item 126, COUNCILMAN BARLOW asked MR. RODRIGUEZ to reconsider the color scheme and stay with earth tone colors. MR. RODRIGUEZ showed the new sandstone color scheme, consistent with the properties in the area.

COUNCILMAN BARLOW asked staff if 54 feet of driveway depth would be sufficient for ingress/egress and for traffic flow. BART ANDERSON, Public Works Department, indicated that it is not optimal but workable. Typically, staff prefers closer to 70 feet of unrestricted property depth but, given the shape of the property, the proposed depth is sufficient.

MR. RODRIGUEZ said the building will go vertical six to nine months after approval. The owner is financing most of the project; the balance will be done with debt financing, which is the reason the zone change application to commercial is being required.

MAYOR GOODMAN declared the Public Hearing closed for Items 124-126.